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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,562	10/18/2001	Daniel Damson	1720	2392

7590 07/26/2005
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

CIRIC, LJILJANA V

ART UNIT	PAPER NUMBER
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3753

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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06222005

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Commissioner for Patents

Ljiljana (Lil) V. Ciric
Primary Examiner
Art Unit: 3753

Information Disclosure Statement

1. This Office communication is in response to the information disclosure statements filed on April 13, 2005. The information disclosure statement filed on April 13, 2005 has a certification of mailing signed October 16, 2001 but there is no record of this information disclosure statement in the instant application having been filed until August 12, 2003; additionally, no return receipt card corresponding to receipt of the aforementioned information disclosure statement has ever been submitted as proof of earlier filing of the aforementioned information disclosure statement. The examiner previously informed the applicant via the advisory action mailed on August 21, 2003 that the information disclosure statement filed on August 12, 2003 (which is ^{AVC 6-22-05} the identical to and has essentially the same deficiencies as the information disclosure statements later refiled on May 6, 2004 and on April 13, 2005) is not being considered due to the lack of the proper corresponding statements, fees, copies, and/or proof of earlier filing.

2. The information disclosure statement filed on April 13, 2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 for the reasons set forth below in greater detail. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

3. The information disclosure statement filed on April 13, 2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which

Art Unit: 3753

caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

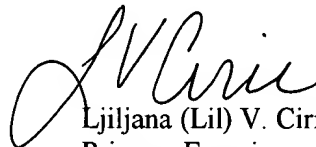
4. The information disclosure statement filed on April 13, 2005 also fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered.

5. The information disclosure statement filed on April 13, 2005 also fails to comply with 37 CFR 1.97(d) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric whose telephone number is 571-272-4909. The examiner can normally be reached on Mondays through Fridays from 10:00 a.m. to 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Mancene, can be reached at 571-272-4930.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ljiljana (Lil) V. Ciric
Primary Examiner
Art Unit 3753